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(Including cover sheet)**File No.:** 10242-34**Lawyer No.:** 258

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COMMENTS:

Please see attached.

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Response to Restriction Requirement of March 18, 2004

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Bereskin & Parr
INTELLECTUAL PROPERTY LAW

Appl. No : 09/646,110 Confirmation No.: 3978
Applicant : Lillian E. Dyck, et al.
Filed : November 5, 2001
Title : ALIPHATIC AMINO CARBOXYLIC AND AMINO PHOSPHONIC
ACIDS, AMINO NITRILES AND AMINO TETRAZOLES AS
CELLULAR RESCUE AGENTS
TC./A.U. : 1625
Examiner : Hector M. Reyes
Docket No. : 10242-34
Customer No. : 001059

By Facsimile

Honorable Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sirs:

The present letter is filed in response to the office action of March 18, 2004.

Remarks/Arguments begin on page 2 of this paper.

Please send all correspondence to the Toronto office:

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Appl. No. 09/646,110
Response dated April 19, 2004
Reply to Office action of March 18, 2004

REMARKS/ARGUMENTS

Applicants provisionally elect the subject matter of Group I, namely claims 1-10, 11-16 and 25-31, in part, for initial examination in this application. The election is made with traverse as it is believed that all of the compounds of Formula I can be searched without undue burden on the Office. Accordingly it is requested that the Restriction Requirement be modified so that claims 1-10, 11-16 and 25-31 are examined in their entirety.

In response to the requirement for an election of a single disclosed species, the Applicants hereby elect the species of (R)-3-(2-heptylamino)propionic acid. The structure of this compound is set forth in Example 5 at page 22, line 5, of the application as filed.

Early and favorable action on the merits is awaited. Should the Examiner deem it beneficial to discuss the application in greater detail, he is kindly requested to contact the undersigned by telephone at (416) 957-1683 at his convenience.

Please charge any fee deficiency or credit any overpayment to the Deposit Account No. 02-2095.

Respectfully submitted,

BERESKIN & PARR

By 
Patrica Power
Reg. No. 50,379

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